



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, September 10, 2013

5:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8th Street

Oakland, CA 94606

Welcome to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on Peralta TV – Cable Channel 27 – Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont. Listed agenda times are estimates. Live stream video of the meetings, agendas, minutes, and all open session reports and meeting materials are available for viewing on Granicus:

Link on the Peralta Board Website: <http://web.peralta.edu/trustees/meetings-votelog/>

PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU!

AGENDA

CALL TO ORDER (7:00 p.m.)

CLOSED SESSION (5:00 p.m.)

Topics to be discussed include:

Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)

Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

- Conference with Legal Counsel (54956.9(a)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152
- Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133.

- Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.
- Conference with Legal Counsel (54956.9(a)), In re Municipal Derivatives Antitrust Litigation, U.S. District Court, Southern District of New York, Case No. 1:08-cv-02516-VM-GWG.
- Conference with Legal Counsel (54956.9(a)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106.
- Conference with Legal Counsel (54956.9(a)), First National Insurance Co. v. PCCD, U.S. District Court, Northern District of CA, Case No. CV12-5943.
- Conference with Legal Counsel (54956.9(a)), Chop v. Peralta Community College District, etc., Case No. RG13681249.
- Conference with Legal Counsel (54956.9(a)), Emmanuel Tril v. Laney College et al., U.S. District Court, Northern District of CA, Case No. C131464 LB
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (7 cases).

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957).

- Interim Vice President of Student Services, Merritt College.
- Interim Assistant to the Chancellor, District Office.
- Interim Dean of Workforce Development and Applied Sciences, Berkeley City College.
- Interim Vice President of Instruction, College of Alameda.
- Interim Director of Employee Relations and Diversity Programs.
- Dean of Academic and Student Affairs, Laney College.
- Consider approval to hire Dean of Academic & Student Affairs.
- Consider approval to hire Interim Director, Deputy Sector Navigator Program (Grant-funded position), College of Alameda.
- Consider approval to hire Internal Auditor.
- Consider approval to extend Interim Director of Student Activities & Campus Life through September 25, 2013.
- Consider Student Disciplinary Appeal, Sakai Bonds.

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Guillén Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and Gulassa Pr_ Ab_, Student Trustees Clegg Pr_ Ab_ and Li Pr_ Ab_.

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.)

(Any public employee contracts are subject to contractual agreement by the Chancellor, and provided salaries are for informational purposes only.)

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 P.M.)

At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board. The Board may move to the Action Calendar items with public speakers.

APPROVAL OF THE MINUTES (7:03 P.M.)

1. Consider Approval of the Regular Board meeting Minutes of July 16, 2013. Consider approval of the regular Board meeting minutes of July 16, 2013. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:05 P.M.)

At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board's jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (up to 3 minutes per individual) will be provided for speakers under this agenda section, at the Board President's discretion. A speaker's card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board's consideration of the item and are honored in the order the cards are received. A speaker may yield time to another speaker up to a limit of 6 additional minutes, with no more than 5 speakers on the issue, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Speakers are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.) Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings. <http://web.peralta.edu/trustees/board-policies/>

REPORTS (7:20 P.M.)

**The Board requests that constituent group reports and presentations be brief and concise, and that only electronic copies be provided for posting.
All open session reports and meeting materials have been submitted to the Board electronically, and are available for public viewing on Granicus.**

2. Associated Student Government Reports

Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)

3. Chancellor's Reports

Chancellor's Report	Dr. José M. Ortiz
Vice Chancellor's Reports	
Budget Update	Vice Chancellor Gerhard
Enrollment and Student Services Update	Interim Vice Chancellor Orkin
General Services	Vice Chancellor Ikharo
Human Resources	Vice Chancellor Largent
College Reports	
Berkeley City College	President Budd
College of Alameda	Interim President Gravenberg
Laney College	President Webb
Merritt College	President Ambriz-Galaviz

4. Board of Trustees' Reports

At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

5. PUBLIC HEARING and ACTION ITEM: Conduct Public Hearing on Resolution 13/14-16, 2013 – 2014 Final Budget Presenter: **Vice Chancellor Gerhard (7:45 P.M.)**
The Peralta Community College District is required to hold a public hearing on the proposed 2013-14 annual budget prior to its adoption. Included in the meeting materials is the proposed final budget for the District which has been publically announced and made available for inspection at the District Budget and Finance Office as well as being posted on the District's website at: <http://web.peralta.edu/business/finance-contacts/annual-adopted-budget/> After the public hearing, it is recommended that Resolution No. 13/14-16 be adopted, approving the Annual Budget. The Chancellor recommends approval.

6. District Academic Senate Report **Presenter: DAS President Karolyn van Putten**

CONSENT CALENDAR (8:00 P.M.)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

EDUCATIONAL AND STUDENT SERVICES

7. Consider approval of contracts for the production and printing of college brochures for Berkeley City College, College of Alameda and Laney College.
Presenter: Chancellor Ortiz/Executive Director Jeff Heyman

As part of Peralta's outreach efforts all four colleges need brochures for distribution to the public to increase awareness and enrollment. The contracts for SHM Communications, David Hanks Photography, Tom Kane Design and Folger Graphics are for the production and printing of college brochures (10,000 each) for Berkeley City College, College of Alameda and Laney College. No general funds will be used for the production and printing. Funding is being provided by the Department of Public Information, Communications & Media's Fund 11 account. (Merritt College will be reimbursed for its previous brochure production costs from this account as well.) The total amount requested is \$51,000. The college presidents support the production and printing of the brochures and the Chancellor recommends approval.

8. Consider approval of new allocation of funds for the Career Advancement Academy Program. **Presenter: Vice Chancellor Orkin**

Consider approval of new allocation of funds for the Career Advancement Academy Program. The EBCAA is a consortium led and industry-driven workforce initiative that will create and strengthen career training pipelines for low income young adults from distressed communities in the Contra Costa and Peralta Community college districts. The EBCAA consortium includes the 7 community colleges of the Contra Costa and Peralta Districts, multiple industry and labor organizations, 4 workforce investment boards, ROCP's, Adult Education programs, and community based organizations tied into the college CTE training and education programs, EBCAA is designed to move "beyond the bridge" with a model pathway that bundles contextualized basic skills, professional development, CTE certificates, enhanced counseling, case management and placement into high demand occupations with access to career ladders and wage advancement. The Chancellor recommends approval. **Funding Source: California Community Colleges Chancellor's Office (CCCCO).**

9. Consider Approval of a contract addendum for Chad Thompson for Merritt College's Peralta Achievement Collaborative, Department of Labor project.
Presenter: President Ambriz-Galaviz

Merritt requests the Board to approve an amended amount of \$44,999 for the contract between Chad Thompson and Merritt College. The original amount of \$24,000 will be increased to \$44,999 due to an increase of additional scope of work. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

10. Consider Approval of Independent Contractor Agreement for Carmen Chavez render services for Merritt College's Peralta Achievement Collaborative, Department of Labor program. **Presenter: President Ambriz-Galaviz**

Consider approval of Independent Contractor Agreement for Carmen Chavez render services for Merritt College's Peralta Achievement Collaborative, Department of Labor program not to exceed \$60,000. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Department of Labor.**

11. Consider Approval of Independent Contractor Agreement Extension for Randolph Belle to render services for catalog work for Merritt College **Presenter: President Ambriz-Galaviz**

Consider approval on independent contractor agreement for Randolph Belle in the amount of \$1,000 in support of Merritt's 2013-2015 Catalog. The initial contract amount with Laney College totaled \$24,999. Increasing the contract amount by \$1,000 to bring the total contract amount for the fiscal year to \$25,999. The scope of work for Mr. Belle provides support to the completion of the Merritt 2013-15 catalog. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted Funds.**

12. Consider approval of a grant from the Chevron Social Investment Partnership Grant (not to exceed \$78,000) for October 1, 2013 – September 30, 2014 to support education and workforce development in skilled trades programs at Laney College. **Presenter: President Webb**

Consider approval of a grant from the Chevron Social Investment Partnership Grant (not to exceed \$78,000) for October 1, 2013 – September 30, 2014 to support education and workforce development in skilled trades programs at Laney College. The grant from the Chevron Social Investment Partnership Grant for \$78,000 will help support Laney College in training skilled tradespeople in machine technology, welding, wood technology, and carpentry. We project a direct impact to 85 students through course offerings. This would be approximately 40 students in the iDesign-Skilled Trades survey class, another 30 in OSHA classes, and 15 in the National Institute of Metalworking Skills (NIMS) class. We estimate impact to another 75 students with math tutoring, resume assistance, improved outreach and job placement assistance. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Chevron Social Investment Partnership Grant.**

The Chevron funding will help us improve the quality of life for underserved communities in the following areas:

- Outreach and recruitment of students from the local Oakland (and surrounding) communities. The grant will help us to continue to place additional emphasis on recruitment of women, underrepresented minorities, and veterans into our programs.
- Support of local high schools. We will also continue our work with Oakland Unified, and specifically McClymonds high school, in support of their Project Lead the Way program and to establish a manufacturing academy to augment the PLTW courses.
- Support of local industry with a skilled workforce. By supplying our local industry with high quality and well-trained workers, we help to ensure these companies are successful which gives them the opportunity to grow and provide additional jobs to the community.

13. Consider Approval of Independent Contractor Agreement for Andrew Ostarello not to exceed \$10,000 to oversee and administer the American College Health Association National College Health Assessment Survey to 1,200 Peralta students in Fall of 2013. **Presenter: Vice Chancellor Orkin**

Consider approval of Independent Contractor Agreement for Andrew Ostarello not to exceed \$10,000 to oversee and administer the American College Health Association National College Health Assessment Survey to 1,200 Peralta students in Fall of 2013. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Student Health Fees.**

Andrew Ostarello will work with the Vice Chancellor of Educational Services to oversee and administer the American College Health Association National College Health Assessment Survey to 1,200 students and develop related reports and analyses, specifically:

- Develop a sampling plan and construct a data set in collaboration with PCCD.
- Communicate with appropriate faculty and others as needed regarding the purpose, timeline and incentives for said survey.
- Plan and conduct the sampling of approximately 1200 unique students.
- Plan and conduct or oversee the distribution and collection of surveys.
- Collate, organize and verify each survey for return to the American College Health Association for results and analysis.
- Follow-up communication with faculty and others at the conclusion of the survey.

14. Consider Approval of Resolution No. 13/14-20 in support of The Trial of the Century **Presenter: Chancellor Ortiz**

Consider approval of Resolution No. 13/14-20 in support of The Trial of the Century Educational and Community Service Project. The Chancellor recommends approval.

FINANCIAL SERVICES

15. Review of Purchase Order Report **Presenter: Vice Chancellor Gerhard**

The Purchase Order Report is being presented for review in accordance with Education Code Section 81656 which states, "All transactions entered into by the officer or employee (designated employees enumerated in AP 6330) shall be reviewed by the Board of Trustees every 60 days." This Purchase Order Report contains all orders issued from June 29, 2013 through August 23, 2013 which have been issued in accordance with applicable policies, procedures and laws by an authorized officer of the District. The Purchase Order Report is brought to the Board for informational purposes only.

16. Consider *Ratification* of the AP, Travel, and Consulting Contract Warrant Register **Presenter: Vice Chancellor Gerhard**

Consider *ratification* of the AP, Travel, and Consulting Contract Warrant Register from June 29, 2013 through August 23, 2013. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

17. Consider Approval of Budget Transfer Report **Presenter: Vice Chancellor Gerhard**

Consider approval of budget transfer report covering the period from June 29, 2013 through August 23, 2013. California Code of Regulations Section 58307 limits the District's expenditures to the amount appropriated for each major expenditure classification as approved by the Board of Trustees through the adoption of the District's annual budget or as amended by subsequent budget transfers or revisions. Due to this statutory control language, budget transfers that move budget authority between major object codes or classifications must be approved by the Board of Trustees. The budget transfers presented are requests originating from the Colleges' or District's departments during the ordinary course of operations and do not significantly alter the final budget that was approved by the Board of Trustees on September 11, 2012. The Chancellor recommends approval.

18. Consider Approval of the California Community Colleges Chancellor's Office Quarterly Financial Status (CCFS-311Q) Report **Presenter: Vice Chancellor Gerhard**

Through the fourth quarter of the fiscal year, the District's Unrestricted General Fund recognized revenues of \$118.6 million and expended \$115.8 million. There was a cash deficit of \$8.3 million that was covered by use of external borrowing as approved by the Board (Tax and Revenue Anticipation Notes). This report has been completed and will be submitted on time to the State Chancellor's Office and in accordance with the District's Financial Reporting Calendar. We are in the process of closing our accounting records and any changes or adjustments necessary as part of that process will be communicated when the CCFS-311A (annual) is presented to the Board on October 8, 2013. The Chancellor recommends approval.

19. Consider Approval of the Chancellor's Office Tax Offset Program (COTOP)
Presenter: Vice Chancellor Gerhard

Consider approval of contract between the Peralta Community College District and the Chancellor of the California Community College for the District to participate in the Chancellor's Office Tax Offset Program (COTOP). This program is made available to California Community College Districts through the State Chancellor's Office. Through the use of this program, the District is able to collect amounts owed from students past due longer than 365 days. Using this program in the prior year, the District was able to collect thousands of dollars of past due balances going back to fiscal year 2005-06. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted General Fund.**

20. Consider Approval for Blanket Purchase Order for Official Payments Corporation
Presenter: Vice Chancellor Gerhard

Consider approval of an open purchase order for Official Payments Corporation (OPC) in the amount not to exceed \$300,000. The contract is needed to pay for student credit card processing fees until the end of this Fiscal Year, June 30, 2014. The District provides students with a variety of payment options in effort to collect student fees timely (i.e. debit card, electronic check and credit card). OPC currently offers Peralta Community College District electronic check payment and processing transaction services and credit/debit card payment transaction services through an Internet interface over the web, an interactive telephone voice response system, and a point of sale interface. This service includes the validation of student's bank account routing numbers, ACH eligibility, determination of dollar amount specified by students, and the creation of transaction files that are then forwarded to the Automated Clearing House. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted General Fund.**

21. Consider Approval of Bank Signors Resolution No. 13/14-17 **Presenter: Vice Chancellor Gerhard**

Consider approval of bank signors resolution no. 13/14-17 naming signers/key executives authorized to act on behalf of Peralta Community College District. Resolution

No.13/14-17 delegates Dr. José M. Ortiz, Mr. Ronald Gerhard, and Mr. David Yang as authorized signors with all banking institutions. Funding Source: Not Applicable. The Chancellor recommends approval.

22. Consider Approval of annual PeopleSoft Software License Update and Support with Oracle **Presenter: Vice Chancellor Gerhard**

Consider approval of the annual PeopleSoft Software License Update and Support required to maintain all PeopleSoft modules used by the District and the Colleges (Student Administration, Human Resources, Finance, General Ledger, Purchasing, Benefits, etc.). The total cost is \$249,541.07 (excluding applicable tax). All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted General Fund and Measure E.**

23. Consider Approval of a three (3) year contract with Sysco San Francisco of Alameda County **Presenter: Vice Chancellor Gerhard**

Consider approval to issue a three (3) year contract with Sysco San Francisco of Alameda County for food and supplies for Laney cafeteria, in the amount of \$400,000.00. Authorization and approval to use Sysco San Francisco of Alameda County for food and supplies for Laney College Cafeteria needs for a period of three years. The initial contract is for three years contingent upon the satisfactory performance of the vendor's ability to maintain the District standards. A formal Request for Proposals (RFP 12-13/11) was conducted for food and supplies for Laney Cafeteria. A total of three firms attended the pre-proposal meeting, and three firms responded to the RFP. A panel was convened to evaluate the proposals based on their submitted responses to overall vendor's capacity to provide quality service, references, response time and plan, proposed costs and volume discounts and SLBE affiliation. After a detailed analysis and review, Sysco San Francisco of Alameda County was the highest ranking vendor. The average scores are summarized below:

Vendors	Average Score
Sysco Foods	74.0
Bi-Rite	68.5
US Foods	00.0

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Unrestricted General Fund.**

HUMAN RESOURCES

24. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees **Presenter: Vice Chancellor Largent**

Pursuant to California Education Code Section 88003, the below list contains the name, date of hire, assignment end date, position title, and site location of candidates recommended for short-term assignments in non-academic classified positions. Each candidate's assignment will not exceed the position title into which the candidate is assigned. The Chancellor recommends approval.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Aguero	Brandi	9/11/13	6/30/14	Clerical Assistant II	M
Anding	Nyagia	9/11/13	12/13/13	Inst Asst I/DSPS	M
Apodaca	Carmen	9/11/13	12/23/13	Inst Asst I/DSPS	L
Beasley	Corina	9/11/13	12/13/13	Food Services Worker	L
Cheng	Man	9/11/13	6/30/14	Instructional Asst/Music	L
Cheng	Willard	9/11/13	6/30/14	Instructional Asst/Biotech	B
Dutton	William	9/11/13	6/30/14	Instructional Asst/Photography	L
Ferris	Ivan	9/11/13	6/30/14	Inst Asst/Machine Tech	L
Gerber	Elaine	9/16/13	6/30/14	Inst Asst I/DSPS	A
Griffin	Terry	9/11/13	6/30/14	Warehouse Worker/Driver	D
Guessoum	Hayat	9/11/13	12/20/13	Staff Asst/Admin (General)	D
Guo	Wanpeng	9/11/13	6/30/14	Instructional Asst/Music	L
Hanley	Michaela	9/11/13	6/30/14	Interpreter/Fully Certified	All
Herrera	Catalina	9/11/13	9/30/13	Staff Asst/Admin (Grants)	B
Jue	Sharon	9/11/13	6/30/14	Instructional Asst/Culinary Arts	L
Koelle	Katherine	9/11/13	12/13/13	Curriculum Specialist	B
Li	Lili	9/11/13	6/30/14	Instructional Asst/Music	L
Liu	Hecheng	9/11/13	6/30/14	Instructional Asst/Music	L
Lu	Xian	9/11/13	6/30/14	Instructional Asst/Music	L
Lyons	Brenda	9/11/13	6/30/14	Master Interpreter	All
Markakis	Michelle	9/11/13	6/30/14	Interpreter, Fully Certified	All
Martin-Ribith	Samuel	9/11/13	6/30/14	Instructional Asst/Multimedia	B
McCullough	Gloria	9/11/13	6/30/14	Accounting Technician	L
Moran	Maureen	9/11/13	6/30/14	Interpreter II	All
Mundeke	Okala	9/12/13	6/30/14	Clerical Assistant II	L
Oliver	Nicole	9/11/13	6/30/14	Clerical Assistant II/Typing	D
Peng	Lu	9/11/13	6/30/14	Instructional Asst/Music	L
Perez	Maria	9/11/13	12/13/13	Staff Asst/Business Services	M
Rehman	Uzma	9/11/13	12/19/13	Inst Asst III/DSPS	B
Roby	Jacqueline	9/11/13	12/23/13	Inst Asst/Psychology	L
Rockwell-Gehrett	Morgan	9/11/13	5/30/14	Cashier	L
Rubio	Margie	9/11/13	6/30/14	Clerical Assistant II	M
Ruckman	Joann	9/11/13	6/30/14	Instructional Asst/Multimedia	B
Saechao	Chai	9/11/13	12/18/13	Program Specialist/EOPS	L
Serpa	Luis	9/11/13	6/27/14	Student Employment Spec.	M
Sharp	Louis	9/11/13	6/30/14	Instructional Asst/Biotech	B
Shields	Ice'e	9/12/13	6/30/14	Clerical Assistant II	L

Tarver	John	9/11/13	12/13/13	Cashier	L
Taylor	Socorro	9/11/13	6/30/14	Executive Asst/Emp Rel	D
Thach	Justin	9/16/13	6/30/14	Inst Asst III/DSPS	A
Van Buhler	Belinda	9/11/13	6/30/14	Inst Asst IV/DSPS	A
Vilchis-Lent	Leticia	9/11/13	6/30/14	Account Clerk II	L
Young	Anwar	9/11/13	6/30/14	Duplicating Services Tech II	B
Yu	Zhi	9/11/13	6/27/14	Admissions & Records Clerk	L

25. Consider Approval of Resolution No. 13/14-19, Exception to the 180-Day Wait Period (Government Code § 7522.56) **Presenter: Vice Chancellor Largent**

Requesting that the subject resolution be passed and adopted at its regular September 10, 2013 Board meeting to appoint Joann Phillips, who retired on June 8, 2013, as a short-term classified employee in the position of Curriculum and Systems Technology Analyst for Educational Services.

FACILITIES

26. Consider Approval to Enter into an Agreement with KONE Inc. to Provide Elevator Inspections and Maintenance Services at College of Alameda, Laney College and Merritt College. **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into an Agreement with KONE Inc. to provide elevator inspections and maintenance services at College of Alameda, Laney College and Merritt College for a three (3) year period, in the amount not-to-exceed \$151,850. Most importantly, the vendor's services will ensure public safety, which is the District's first priority. The District is committed to the provision of safe elevator transportation to meet safety codes and provide access for public use. To procure new elevator inspection and maintenance services, the Administration complied with California Public Contract Codes, Board Policy, and Administrative Procedures and established a screening committee to assess potential vendor's proposals based on the set evaluation criteria outlined in the Request for Proposal (RFP).

As required by the State of California Public Contract Code Sections 20651-20660 and Board Policy 6330 for purchasing of goods and services, the District solicited a Request for Proposal (RFP No. 13-14/03) to establish a new agreement with a selected vendor to provide District-wide elevator inspection and maintenance services. The RFP was issued by the Purchasing Department on June 12, 2013 and the schedule publication dates were June 12, 2013 and June 19, 2013 respectively. Potential vendors provided their proposals to the Purchasing Department by July 9, 2013. A mandatory pre-proposal meeting was scheduled on June 20, 2013 to review the submission requirements and to tour three (3) college's elevators.

Consequently, a total of three (3) proposals were submitted to the District by various full service companies that provide elevator inspection and maintenance services. Proposal submissions were scored according to the following evaluative criteria: 1) References, Resources, and Key Personnel, 2) Knowledge and Experience, 3) Response Time and Maintenance Plans, 4) Proposed Costs, and 5) Small Local Business Enterprise (SLBE)

/ Small Local Emerging Business Enterprise (SELBE). A technical screening committee comprising of the District’s personnel was established to evaluate and score all submissions according to the scoring criteria above. As a result, KONE Inc. received the highest assessment score of 213 points.

The following are the total scores for the three (3) companies:

	VENDORS		
EVALUATORS	Thyssen Krupp	KONE Inc.	Otis
Evaluator No. 1	81	90	52
Evaluator No. 2	55	70	52
Evaluator No. 3	50	53	55
TOTAL:	186	213	159

The period of services will start September 1, 2013 to August 31, 2016. The period of performance and service is for three (3) years from the date of award with one (1) two-year renewal options subject to an annual review for performance by the Administration and brought before the Board of Trustees for approval. Additionally, vendor’s performance evaluation will be conducted annually during the contract period. Currently, KONE Inc. has an active contractor’s license with California Department of Consumer Affairs – Contractors State License Board. KONE Inc. is a California corporation located in San Leandro, California. The business is managed by Joe Harmeyer (District Manager) and Eric Menze (District Service Manager). The company has provided quality elevator maintenance and services at Berkeley City College, Laney College, College of Alameda and Merritt College for years and quality work will continue through this contract. Currently, they are providing services at Berkeley City College under a separate contract. The separate contract for Berkeley City College will be integrated with other colleges upon the expiration of that contract.

Board approval is necessary because the new contractual amount of \$151,850 exceeds the formal contractual bid threshold of \$83,400. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund.**

- 27. Consider an Extension to the Existing Agreement for Tyco/SimplexGrinnell to Provide District-Wide Fire System Testing, Inspection, Repair and Maintenance on a Month-to-Month Basis. **Presenter: Vice Chancellor Ikharo**

Approval is requested to extend an existing agreement with Tyco/Simplex Grinnell to provide District-wide fire system testing, inspection, repair and maintenance on a month-to-month basis, starting from July 1, 2013 to December 31, 2013, in the amount not-to-exceed of \$76,000. In compliance with Education Code Section 81644 and the District’s Administrative Procedures 6340, the District may only continue contracts for services for a maximum of five (5) years. The vendor’s existing agreement ended June 30, 2013.

This request is critical because SimplexGrinnell's services is needed to minimize hazards to life and property. Also, the services of fire devices testing and maintenance will ensure public health and safety, and conform to California State Fire Marshal's fire and life safety codes. As required by California Public Contract Code Sections 20651-20660 and Board Policy 6330, the District will solicit for a new Request for Proposal (RFP) to procure this service. As an authorized agent, SimplexGrinnell has provided proprietary services to the District for the past five (5) years; they will bill on monthly basis for their services.

The District will solicit a Request for Proposal (RFP) with an objective to establish a new agreement with a selected company to provide fire system testing, inspection, repair and maintenance services. Services with SimplexGrinnell will end when a new bid is approved and awarded by the Chancellor and the governing Board of Trustees. A 30 day notice will be given to the current vendor, once a new contract is established.

The company has provided quality fire system testing, inspection, repair and maintenance at all college campuses for years and quality work will continue through this contract. Board approval is necessary because their previous service contract expired on June 30, 2013 and vendor's billing to date will be \$76,000 on all contracts, which exceeds the annual \$25,000 service threshold for General Funds expenditures.

SimplexGrinnell is an authorized agent, has been providing proprietary services to District for the last five (5) years. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund.**

28. Consider Approval of Resolution No. 13/14-18 for Board Approved Construction Settlement Agreement with Mondo USA Inc. **Presenter: Vice Chancellor Ikharo**

Approval is requested for Resolution No. 13/14-18 for the Board approved construction settlement agreement with Mondo USA Inc. The settlement agreement with Mondo USA Inc. was approved by the Board of Trustees at the meeting of July 16, 2013. To abide by the District's formal practice, assignment of a resolution number for a construction contract, the Administration requests for Board approval and adoptions of the following resolution numbers for the previously Board approved project.

Resolution No:	Project Names (Bid Nos.)	Contractors (Contract Amount)	BOT Approval Dates
13/14-18	Mitigation of the Deteriorated District-wide Tracks at Laney College, College of Alameda and Merritt College	Mondo USA Inc. (\$1,400,000)	July 16, 2013

All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A.**

ACTION CALENDAR ITEMS

The Action Calendar lists non-routine items that the Board of Trustees may wish to discuss and/or debate. The list below may be supplemented by items removed from the Consent Calendar. The Board may move to the Action Calendar items with public speakers, and Board-sponsored Resolutions. The Board will hear public comments prior to taking any action on these items.

ANNOUNCEMENTS

ADJOURNMENT

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting to the Board Clerk, Chancellor's Office, 333 East 8th Street, Oakland, CA, (510) 466-7203, bmartinez@peralta.edu at least 48 hours prior to the meeting.